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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re:

PG&E CORPORATION

-and-

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
- ☐ Affects Pacific Gas and Electric Company
- ☒ Affects both Debtors

**All papers shall be filed in the Lead Case,
No. 19-30088 (DM)*

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

**EXHIBIT A TO DECLARATION OF
FRANK M. PITRE IN SUPPORT OF
THE MOTION OF THE OFFICIAL
COMMITTEE OF TORT CLAIMANTS
FOR AN ORDER DETERMINING
PROCEDURES FOR PRESERVING
JURY TRIAL RIGHTS (Dkt. Nos. 3479,
3480)**

From: Frank Pitre <FPitre@cpmlegal.com>

Date: August 3, 2019 at 6:37:36 PM PDT

To: Kevin Orsini <KOrsini@cravath.com>

Cc: Steven Skikos <sskikos@skikos.com>, "Michael A. Kelly" <MKelly@walkuplawoffice.com>, Steve Campora <scampora@dbbwc.com>

Subject: Re: PG&E

Thanks

Sent from my iPhone

On Aug 3, 2019, at 6:15 PM, Kevin Orsini <KOrsini@cravath.com> wrote:

Frank,

We agree that the Brown Greer dispute is and should be separate from any jury trial issue dispute.

There is a motion before the court presently to set estimation procedures, as well as your motion to lift the stay. If you would like to file some other motion that you believe raises the jury trial issue, you are of course free to do so and we will respond in due course.

I don't know why the edits did not come through, but attached is a pdf version that shows the clarifications.

Kevin

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Sent from my iPad

On Aug 3, 2019, at 4:40 PM, Frank Pitre <FPitre@cpmlegal.com> wrote:

Kevin:

The issue of Jury Trial Waiver is important for all claimants to understand going into the process. If we cannot reach agreement, I suggest we take up the issue with the Court and set a short briefing schedule to get the issue resolved. In this manner we separate the dispute from access to Brown Greer.

As to the Brown Greer edits, my version does not show those edits in redline or highlights, so I can easily make sure I understand any changes. If you could send in some format to highlight the changes, it would be appreciated.

I will need to process this with the rest of my group, and get back Monday am.

Best Frank

Sent from my iPhone

On Aug 3, 2019, at 1:15 PM, Kevin Orsini <KOrsini@cravath.com> wrote:

Frank,

The Debtors are not prepared to enter into any stipulation concerning jury trial rights that claimants may or may not have in connection with the Chapter 11 proceedings. That issue will need to be addressed based on the existing law governing these proceedings.

I have made a few clarifying edits in the attached version of the agreement based on discussions to date. These changes do not change the substance, but are designed to avoid ambiguity for both sides. We are prepared to move forward with the agreement with those changes.

Kevin

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On Aug 2, 2019, at 1:16 PM, Fr  nk Pitre
<FPitre@cpmlegal.com> wrote:

Kevin:

We are prepared to finalize and accept the terms reflected in the attachment to this email, with the additional provision that:

"Claimants submission of information into the Brown Greer system for use in connection with these bankruptcy proceedings, including the filing of claims in bankruptcy, shall not constitute a waiver of their right to jury trial for any claim which seeks recovery for damages arising from wrongful death or personal injury".

If the additional term is acceptable, we have a complete agreement.

Please confirm as soon as you can so we will know how to deal with the presently issued subpoenas for Brown Greer data. Call me with any questions (650) 697-6000 or (650) 245-8020.

Thanks Kevin

Frank M. Pitre

Partner

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